

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-23916 - APPLICANT: LAMAR ADVERTISING - OWNER:
GENERAL MILLS RESTAURANTS, INC.**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a required Two Year Review of an approved Special Use Permit (U-0185-89), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 1361 South Decatur Boulevard.

This is the sixth review of the subject Off-Premise Advertising (Billboard) Sign. The Off-Premise Advertising (Billboard) Sign was found to be in good condition and no aesthetic or structural issues were noted. The continued use of the Off-Premise Advertising (Billboard) Sign at this location is deemed appropriate. Approval of this request is recommended with a review in three years.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/17/90	The City Council approved a Special Use Permit (U-0185-89) for replacement of an existing off-premise sign with one 14-foot by 48-foot, 40-foot tall off-premise advertising (billboard) sign on the site. The Board of Zoning Adjustment and staff recommended approval.
02/15/95	The City Council approved a Required Five-Year Review [U-0185-89(1)] of an approved Special Use Permit (U-0185-89) for the 14-foot by 48-foot, 40-foot tall off-premise advertising (billboard) sign on the site. The Board of Zoning Adjustment and staff recommended approval.
04/05/00	The City Council approved a Required Five-Year Review [U-0185-89(2)] of an approved Special Use Permit (U-0185-89) for the 14-foot by 48-foot, 40-foot tall off-premise advertising (billboard) sign on the site. The Planning Commission and staff recommended approval.
06/19/02	The City Council approved a Required Two-Year Review [U-0185-89(3)] of an approved Special Use Permit (U-0185-89) for the 14-foot by 48-foot, 40-foot tall off-premise advertising (billboard) sign on the site. The Planning Commission and staff recommended approval.
07/07/04	The City Council approved a Required Two-Year Review (RQR-4282) of an approved Special Use Permit (U-0185-89) for the 14-foot by 48-foot, 40-foot tall off-premise advertising (billboard) sign on the site. The Planning Commission and staff recommended approval.
08/17/05	The City Council approved a Required Two-Year Review (RQR-4282) of an approved Special Use Permit (U-0185-89) for the 14-foot by 48-foot, 40-foot tall off-premise advertising (billboard) sign on the site. The Planning Commission and staff recommended approval.
09/27/07	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #39/ng).

<i>Related Building Permits/Business Licenses</i>	
09/04/07	The Planning and Development Department received confirmation from the Department of Building and Safety that an engineering letter stating the sign was structurally sound was accepted.

<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Field Check</i>	
08/20/07	A site inspection was conducted and photographs were taken. The sign was found to be in good condition with no aesthetic or structural issues.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.9

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
East	Multi Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Offices	SC (Service Commercial)	C-1 (Limited Commercial) P-R (Professional Office and Parking)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (200-Foot)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	<i>Code Requirement</i>	<i>Provided</i>	<i>Compliance</i>
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not Located within the Exclusionary Zone	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	672 SF	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Screened	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to another Off Premise Sign	635 feet to another Off Premise Sign	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	180 feet from "R" zoned property to the east and northwest.	N

Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y
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ANALYSIS

This is the sixth review of the subject Off-Premise Advertising (Billboard) Sign. The sign was inspected on 08/20/07. The Off-Premise Advertising (Billboard) Sign was found to be in good condition and no aesthetic or structural issues were noted. The sign is located at the far end of a parking lot for a restaurant and does not pose a safety hazard. The continued use of the Off-Premise Advertising (Billboard) Sign at this location is deemed appropriate with a review in three years. Approval of this request is recommended.

FINDINGS

The continued use of the Off-Premise Advertising (Billboard) Sign at this location is deemed appropriate. Approval of this request is recommended with a review in three years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 263 by City Clerk

APPROVALS 0

PROTESTS 0